

CITY OF MIAMI BEACH  
Office of the City Manager  
Letter to Commission No. 290-2004



**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** November 17, 2004

**From:** Jorge M. Gonzalez  
City Manager

A handwritten signature in black ink, appearing to read "Jorge", written over the printed name of the City Manager.

**Subject: PUBLIC RECORDS REQUEST MADE BY THE COMMUNICATIONS WORKERS OF AMERICA (CWA)**

The purpose of this LTC is to share with you a public records request made on Friday, October 15, 2004 by the CWA Union.

At the October 13, 2004 City Commission meeting, the CWA came to speak during the Stanley Sutnick hour about contract negotiations. Following the CWA's comments, Ms. Deede Weithorn, chairperson of the Budget Advisory Committee (BAC), also addressed the City Commission on the same subject. Two (2) days later, the CWA sent the attached public records request to the City. Part of the public records request included the following:

**"A copy of any applications filled out by budget advisory committee members wishing to serve the BAC, which may show background experience, resumes and corporate affiliations. (for the last 4 years.)"**

At their October 19, 2004 meeting, the Budget Advisory Committee discussed this item and stated that they were offended by this request, especially in light of the amount of time and personal commitment this group has made to the City. Representatives from the BAC attended most of the very time consuming negotiation sessions and played an integral part in reviewing the financial impact of proposals and how they would affect the City's trend lines. The BAC has also met on numerous occasions with City staff at various Budget Advisory Committee meetings to give feedback and make recommendations regarding the City's budget due to the multimillion dollar proposed increases for the various unions.

While the law clearly allows these types of public records requests, it is significant to note that since the start of CWA negotiations, CWA has filed a total of thirty-seven (37) public records requests, thirty (30) grievances, two (2) unfair labor practice charges, and have fourteen (14) pending arbitrations. These statistics amount to the vast majority of all public records requests, grievances and arbitrations filed by all five of the City's unions.

Notwithstanding these tactics, the City will continue to work diligently and cooperatively with the CWA to proceed through the impasse process as provided for in the Florida Statutes.

If you have any questions or need any additional information, please feel free to contact me.

JMG\R\NLG\mr

cc: Ramiro Inguanzo, Chief of Staff  
Linda Gonzalez, Labor Relations Director  
Don Papy, Chief Deputy City Attorney

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**COMMUNICATIONS  
WORKERS OF AMERICA  
LOCAL 3178 - MIAMI BEACH  
AFL-CIO**

7455 Collins Ave., Suite 212  
Miami Beach, FL 33141  
(786) 457-7746  
[jfisher@cwa3178.org](mailto:jfisher@cwa3178.org)

October 15, 2004

**EXECUTIVE OFFICERS**

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President

JOSEPH FISHER  
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Roberto Binelli  
Chief Steward  
SECTION - 6

Linda Gonzalez, Director  
Labor Relations Division  
City of Miami Beach  
1700 Convention Center Drive  
Miami Beach, FL 33139

Dear Linda:

The union is requesting the following information:

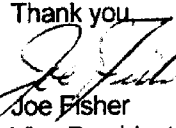
1. A copy of all contracts that have been awarded by the city manager's office for the last 4 years which were not approved by the city commission. *City Clerk*
2. A copy of any applications filled out by budget advisory committee members wishing to serve the BAC, which may show background experience, resumes, and corporate affiliations. (for the last 4 years)

**I am choosing the option to personally review the documents. Please notify me when I can review this information.**

Once the requested documents are ready, please contact me at **786-457-7746**, so that I may ~~make arrangements to have someone pick up the material and pay the appropriate copying cost.~~  
Should you have any questions about the scope of the material requested, do not hesitate to contact me.

*Be advised that this request is made pursuant to the Public Records Act and the Public Employees Relations Act (PERC), which entitles the union not only to preexisting documents but also information responsive to a specific request, and the Miami Beach Citizens' Bill of Rights.*

*For the purposes of this request, "documents" include memoranda, letters, notes (whether typed or handwritten) work sheets, e-mail, audio tapes, transcripts, work papers, regardless of whether they are kept in computerized format only or on paper or other medium. If there is no document responsive to a particular request, please advise me of that fact. In the event the city intends to charge the union any cost pertaining to this request, I am also requesting an itemized bill including the identity of the employee(s) performing this work, the time actually spent on the matter by each employee, and the work performed by that employee in responding to this request.*

Thank you,  
  
Joe Fisher  
Vice President

cc: Marcus Brasswell, C.W.A. Attorney

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